

116TH CONGRESS
1ST SESSION

H. R. 549

To designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2019

Mr. SOTO (for himself and Mr. DIAZ-BALART) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status under such section, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Venezuela TPS Act
5 of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Venezuela is enduring an unprecedented
2 economic, humanitarian, security, and refugee crisis,
3 consisting of extreme food and medicine shortages,
4 severe infant and child malnutrition, rampant crime,
5 and government-sponsored repression.

6 (2) Venezuela’s economic crisis continues
7 unabated and the International Monetary Fund
8 projects that inflation in Venezuela could reach an
9 annual rate of 10,000,000 percent in 2019.

10 (3) In 2017, the Office of the High Commis-
11 sioner for Human Rights reported the deaths of 124
12 persons that could be attributed to violations of the
13 right to freedom of peaceful assembly.

14 (4) From September 2017 through April 2018,
15 a review of pharmacies in five major cities shows a
16 shortage of nearly 85 percent of medicine essential
17 to treat four of the most recurrent causes of mor-
18 bidity in the country, diarrhea, respiratory tract in-
19 fections, diabetes, and high blood pressure.

20 (5) As evidence of the significant effect that
21 Venezuela’s economic crisis has on public health,
22 Venezuela’s Health Ministry reported that in
23 2016—

24 (A) there was a 30-percent increase in the
25 infant mortality rate; and

1 (B) there was a 60-percent increase in the
2 maternal mortality rate.

3 (6) According to the United Nations Human
4 Rights Office of the High Commissioner, Venezuelan
5 intelligence and security forces have increasingly
6 used arbitrary arrests and detentions to repress and
7 intimidate civil society, political opponents, and any
8 voices of dissent.

9 (7) Zeid Ra’ad Al Hussein, the United Nations
10 High Commissioner for Human Rights, stated, “The
11 failure to hold security forces accountable for such
12 serious human rights violations suggests that the
13 rule of law is virtually absent in Venezuela.”.

14 (8) According to the United Nations High Com-
15 missioner for Human Rights, since 2014 more than
16 1,500,000 Venezuelans have fled the country for
17 reasons including violence, political oppression, and
18 the ongoing humanitarian crisis.

19 **SEC. 3. SENSE OF CONGRESS.**

20 It is the sense of the Congress that—

21 (1) Venezuela’s economic, humanitarian, secu-
22 rity, and refugee crisis has resulted in extraordinary
23 and temporary conditions that currently prevent
24 Venezuelan nationals from safely returning to Ven-
25 ezuela; and

1 (2) Venezuela should be designated under sub-
2 section (b)(1)(C) of section 244 of the Immigration
3 and Nationality Act (8 U.S.C. 1254a) for a period
4 of 18 months to permit nationals of Venezuela to be
5 eligible for temporary protected status in accordance
6 with such section.

7 **SEC. 4. DESIGNATION FOR PURPOSES OF GRANTING TEM-**
8 **PORARY PROTECTED STATUS.**

9 (a) DESIGNATION.—

10 (1) IN GENERAL.—For purposes of section 244
11 of the Immigration and Nationality Act (8 U.S.C.
12 1254a), Venezuela shall be treated as if it had been
13 designated under subsection (b)(1)(C) of that sec-
14 tion, subject to the provisions of this section.

15 (2) PERIOD OF DESIGNATION.—The initial pe-
16 riod of the designation referred to in paragraph (1)
17 shall be for the 18-month period beginning on the
18 date of the enactment of this Act.

19 (b) ALIENS ELIGIBLE.—As a result of the designa-
20 tion made under subsection (a), an alien who is a national
21 of Venezuela is deemed to satisfy the requirements under
22 paragraph (1) of section 244(c) of the Immigration and
23 Nationality Act (8 U.S.C. 1254a(c)), subject to paragraph
24 (3) of such section, if the alien—

1 (1) has been continuously physically present in
2 the United States since the date of the enactment of
3 this Act;

4 (2) is admissible as an immigrant, except as
5 otherwise provided in paragraph (2)(A) of such sec-
6 tion, and is not ineligible for temporary protected
7 status under paragraph (2)(B) of such section; and

8 (3) registers for temporary protected status in
9 a manner established by the Secretary of Homeland
10 Security.

11 (c) CONSENT TO TRAVEL ABROAD.—

12 (1) IN GENERAL.—The Secretary of Homeland
13 Security shall give prior consent to travel abroad, in
14 accordance with section 244(f)(3) of the Immigra-
15 tion and Nationality Act (8 U.S.C. 1254a(f)(3)), to
16 an alien who is granted temporary protected status
17 pursuant to the designation made under subsection
18 (a) if the alien establishes to the satisfaction of the
19 Secretary of Homeland Security that emergency and
20 extenuating circumstances beyond the control of the
21 alien require the alien to depart for a brief, tem-
22 porary trip abroad.

23 (2) TREATMENT UPON RETURN.—An alien re-
24 turning to the United States in accordance with an
25 authorization described in paragraph (1) shall be

1 treated as any other returning alien provided tem-
2 porary protected status under section 244 of the Im-
3 migration and Nationality Act (8 U.S.C. 1254a).

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